2004 ANNUAL REPORT



Amber L., a court participant

Preserving Equal Access to Justice

Progress and Challenges of the California Judicial Branch



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Published by the Judicial Council of California Administrative Office of the Courts Office of Communications 455 Golden Gate Avenue San Francisco, CA 94102-3688 415-865-7740

California Courts Infoline: 800-900-5980

The Judicial Council's 2004 Annual Report summarizes the achievements of the California Judicial Branch as well as key trends in court workload and budget allocations for fiscal year 2003. The online version of the report contains numerous links to the California Courts Web site (www.courtin-fo.ca.gov) for more detailed information. A companion online publication, the Court Statistics Report, provides detailed 10-year statistical caseload and trend data on a wide variety of court business as well as caseload data for each county.

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Art works reproduced in this annual report were submitted to the Children's Art and Poetry Contest sponsored by the Administrative Office of the Courts, Center for Families, Children & the Courts in 2003 as part of the celebration of the 100th anniversary of the creation of California's juvenile courts. The contest was open to children and youth of any age with experience in the court system. The art highlights the vital role courts play in the lives of children and their families and communities.

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Judicial Branch Budget Advisory Committee

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Traffic Advisory Committee

Trial Court Presiding Judges Advisory Committee

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Committee

Legal Services Trust Fund Commission

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Task Force on Judicial Ethics Issues

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State of the Judiciary

Message from the Chief Justice and Administrative Director

Dear Friend of the Courts:

Across our nation, attention is focused upon preserving and balancing security and freedom in a time of international conflict. At the same time, economic difficulties facing California and many other states challenge the ability of government to meet the reasonable needs and expectations of the public in all spheres. These conditions highlight the pivotal and essential role in our society of an independent judicial branch committed to the rule of law and to equal justice for all.

In cooperation with the legislative and executive branches, California's judicial branch has worked to strengthen our courts, while at the same time contributing to solving the fiscal emergency that challenges our state. During

the past year, California's courts have continued to make noteworthy progress in improving and equalizing the administration of justice across California. In addition to developing new tools to provide meaningful access to the courts for more members of the public, our judicial system has made great strides toward more effectively discharging its budgetary and administrative responsibilities.

In large part, California's judicial system has been able to make progress, despite the challenging economic climate, because of two structural reforms over the past decade that transformed the basic configuration of our court system—the shift to state court funding and trial court unification. This transformation will be enhanced by the recently enacted Trial

Court Facilities Act, which sets in process a shift in the ownership and management responsibility for California's 451 court facilities from the counties to the state.

Due in large part to the benefits realized from these reforms and to the dedication and talent of branch leadership, courts have been able to weather the latest series of economic storms remarkably well—but not without significant difficulties. Funding for the court system never has met the level of demonstrated need, but until recently courts have managed to provide adequate services to the public by coordinating functions, engaging in active planning, and implementing programs to ensure greater fiscal efficiency and accountability.

Now, however, many valuable programs have been curtailed and many are in immediate jeopardy of being eliminated entirely because of funding cuts imposed or proposed. The consequences of inadequate funding already can be found in courthouses across the state in the form of shortened hours for the clerks' offices, courtrooms shut down for half days, longer waits for services due to reduced staff, delayed

> Ronald M. George Chief Justice of California and

> Chair of the Judicial Council

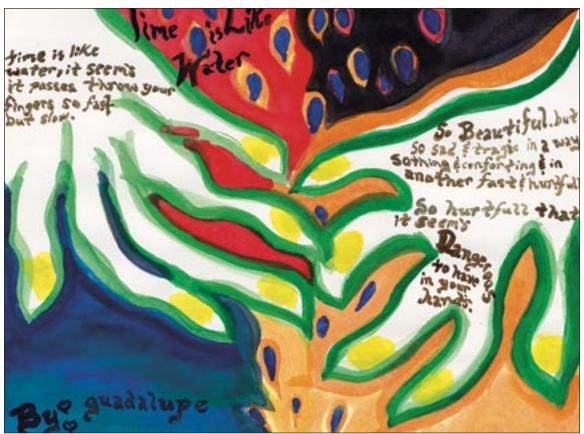
record keeping affecting criminal filings, and members of the public being turned away from programs that provide assistance to those who cannot afford counsel.

Additional substantial cuts would diminish the courts' ability to perform the core functions expected of our justice system. The consequences for society would be grave. A strong, independent judicial system is not simply one of many state programs provided for the people of our state, nor is it a luxury made available only in good economic times. It is an essential foundation of our democratic system of governance.

California's judicial branch entered 2004 positioned as an effectively managed, serviceoriented third branch of government, concentrated on ensuring the equal administration of justice for all Californians in every part of our state. There are many challenges ahead that will test our resolve. But we remain fully committed to fulfilling our fundamental constitutional role of providing a system of justice accessible to all and dedicated to maintaining the rule of law. The judicial branch will continue unabated its efforts to discharge its responsibilities to the public.

William C. Vickrey

Administrative Director of the Courts and Secretary of the Judicial Council



Guadalupe S., a court participant

2003 YEAR IN REVIEW

he California judicial branch reinforced its reputation for excellence and innovation during 2003 with significant progress toward all six of its strategic goals. Budget shortfalls curtailed, but did not stop, the momentum of reform of the last six years. Most notable is how, across the state, court access was preserved in the face of profound challenges. This alone is a monumental accomplishment, and it confirms both the value and the necessity of balancing a statewide perspective, in terms of responsibility, accountability, and oversight, with the participation of local courts and their communities.

Among the year's highlights described in the following pages are the Judicial Council's new guidelines for uniform court access in every county, the positive start of complex negotiations with counties for the transfer of trial court facilities to the state, and the offer of court employment to eligible court interpreters. Other milestones include the new plain-language civil jury instructions and a variety of new programs to assist self-represented litigants.

GOAL: INDEPENDENCE AND ACCOUNTABILITY

The California Constitution established the judicial branch as one of three coequal branches of state government. As such, the branch must fulfill its mandated responsibilities while independently directing and controlling its operations and resources. It is essential that the branch obtain adequate resources to meet these responsibilities.

Preserving Access to Justice

Despite facing catastrophic budget reductions due to an ailing state economy, the judicial branch brokered a bipartisan budget compromise with the Legislature that significantly reduced the overall impact on the courts. Shortly thereafter, the Judicial Council took decisive action to implement operating guidelines and directives for budget management within the judicial branch. These two actions played a critical role in maintaining open access to a fair system of equal justice while also protecting core services and court staff.

Operational Plan Charts Next Three Years

The stage was set for continued progress toward the branch's six strategic goals when the Judicial Council approved an operational plan, effective January 1, 2004. The plan details specific shortand long-term objectives for the next three years. The plan aims to ensure stable, adequate funding for the judicial branch, continued independence in judicial decision-making, modernization of court management and administration, improved technology throughout the courts, access and fairness for all members of the public, and improved public trust and confidence in the courts.

NEW EMERGENCY POWERS

The Judicial Council sponsored an "urgency" bill (Assem. Bill 1641 [Keene]) that took effect on September 4, 2003, clarifying and expanding the Chief Justice's authority to issue orders in an emergency. The new provisions were put to use almost immediately, when wildfires raged in Southern California, including San Diego County. Court leaders in San Diego sought authorization from the Chief to declare October 27 through 29 court holidays for the purpose of computing the time for filing papers in civil proceedings and thereby providing relief for civil litigants whose filing deadlines fell on those days. Such a declaration would not have been possible without the enactment of AB 1641.

Milestones in Fiscal Accountability

In 2003, the judicial branch reached a significant milestone in fiscal accountability with the rollout of a new trial court financial system, CARS (the Court Accounting and Reporting System), to the Superior Courts of San Luis Obispo, Siskiyou, and Stanislaus Counties. The Trial Court Accounting Processing Center also continued to expand service options available to state courts by providing additional procurement and contracting services. The internal audit program introduced more comprehensive services and has played an integral role in the implementation of fees and facilities legislation.

New Fees Provide Alternate Funding Source

Striving to avoid catastrophic funding reductions, the Judicial Council partnered with legislative leaders in achieving the successful passage of Assembly Bill 1759. This legislation resulted in the implementation of new and increased court fees on a statewide basis. Revenues generated from these fees have begun to replace state General Fund moneys and are currently providing support to trial court operations.

Courts and Counties Partner on Collections

Senate Bill 940 directed the Judicial Council to adopt the necessary guidelines and to partner with counties to establish a comprehensive program for collecting moneys owed for fees, fines, forfeitures, penalties, and assessments imposed by court order. A working group consisting of judicial officers, court executives, county representatives, and staff from the Administrative Office of the Courts will evaluate methods for future collections and develop a strategy for court and county cooperation in collection efforts that focus on best practices and accountability, enhanced compliance with

court orders, and increased revenue to the state, the courts, the counties, the cities, and victims of crimes.

Operational Cost Savings Administrative Working Group

In response to current and anticipated budget reductions, the AOC established an administrative working group that will make recommendations about ways the courts can achieve operational cost savings and offset the projected shortfalls in fee revenues as well as the \$2.5 million reduction enacted for consolidation of administrative services in fiscal year 2003–2004. Eleven court executive officers and various trial court staff are looking at potential areas for cost savings.

Working Group on Court Security

During the 2003 legislative session, the Legislature expressed concern about the ongoing growth of court security expenditures and looked for a way that stakeholders could work cooperatively to establish standards and guidelines for providing security services. Legislation was approved requiring the Judicial Council to establish a Working Group on Court Security, to be composed of representatives from the judicial branch, counties, sheriffs' departments, and law enforcement labor organizations. Established in 2003 this new working group will develop recommendations on uniform standards and guidelines that may be used by the Judicial Council and any sheriff or marshal for the implementation of trial court security services.

Stabilization of Funding Working Group

More than 120 leaders from the courts and the bar came together in December to discuss how to ensure a stable and adequate budget for the California court system. The meeting marked an important step toward the goal of providing sufficient funding for the judicial branch.

Chief Justice Ronald M. George convened the meeting to discuss the current budget crisis, provide background on the policy goals of state trial court funding, discuss potential options for providing more financial stability to the courts, and help provide direction for the Commission to Secure Stable Funding for Justice that the Chief Justice will soon appoint to address these issues.

Over the next few years, the commission will consider and make recommendations about budget process changes. These changes may include a broad range of options, such as potential new funding sources for the courts, implementation of workload-based funding formulas, and changes in the way the judicial branch budget is submitted to and reviewed by the other two branches of government.



Court Fees Working Group

The Court Fees Working Group will develop recommendations in time for the 2004–2005 budget that will ensure greater uniformity in court fees, ease administrative burdens, address concerns about access to justice, and seek to achieve projected revenue targets that were included in the 2003–2004 budget. Information will be collected from the courts and practitioners to determine necessary modifications. Recommendations may address ways to ensure that fees are charged uniformly and consistently from court to court and the need for a regular process for adjusting fees.

Undesignated Fees

The AOC and the California State Association of Counties (CSAC) are meeting regularly to discuss implementation of an interim agreement approved as part of the 2003–2004 Budget Act. The agreement requires counties to make two payments to the Trial Court Trust Fund in 2003–2004 and two payments in 2004–2005, for a total of \$31 million each year statewide. Discussions continue on the undesignated fee issue, seeking a permanent resolution that will replace the interim agreement when it expires at the end of the 2004–2005 budget year.

Ethics Code for State Judges

The California Supreme Court adopted amendments to the Code of Judicial Ethics, which governs the conduct of state judges. The amendments concern sexual harassment and whether ownership of a bond constitutes a financial interest for purposes of judicial disqualification.

Legal Services for Trial Courts

To help achieve the goal of providing all necessary legal services to the trial courts through the AOC's Office of the General Counsel (OGC), the Judicial Council approved the continuation and expansion of the Trial Court Transactional Assistance Program, which provides legal services for contract and transactional matters and other court operations. The council's Litigation Management Program, first implemented in 2000, provides quality legal assistance to the courts in managing relevant claims and litigation. The OGC also provides trial courts with legal advice and assistance in labor and employment matters as well as with formal legal opinions on a variety of court administration issues.

Legislation Linked to Strategic Plan

The AOC's Office of Governmental Affairs (OGA) tracked approximately 600 bills of

interest to the judicial branch. OGA advocated the Judicial Council's position on more than 30 bills. In 2003, eight council-sponsored bills were signed into law. The council's legislative package was designed to seek improvements in court administration in line with the judicial branch's strategic plan. The Court News Legislative Summary, which contains abstracts of the bills passed during the most recent legislative session, is available on the California Courts Web site (www.courtinfo.ca.gov).

GOAL: EDUCATION

Key to preserving judicial independence and accountability is the Judicial Council goal of providing a systemic approach to branchwide education services that reinforces the unique role of judicial officers and court staff; enhances decision-making skills; encourages uniformity in judicial procedure; and promotes effectiveness, consistency, and equal justice for all.

Continuing Education

Judicial independence relies on the effectiveness of judges, court personnel, and other judicial branch staff in meeting the everchanging and increasingly complex needs of the public and the unique demands of an evolving statewide judicial branch.

Toward this goal, the branch maintains a nationally recognized continuing education and professional development program. Each year, the AOC's Education Division offers hundreds of specialized trainings for judges and court employees, some in collaboration with Judicial Council advisory committees and other AOC divisions.

New educational programs introduced during 2003 to enhance performance include ethics training for assigned and appellate justices, two cost-effective online programs for court staff, and the first online course for judges covering juvenile dependency. Other milestones include creation of the Court Management University and two new judicial education programs on AOC-TV: Great Minds and Today's Law.

The AOC's Center for Families, Children & the Courts also provides dozens of trainings, many mandated by California rules of court, to ensure court staff's ability to serve the public effectively. Included are the Institute for New Family Court Professionals, the Family Dispute Resolution Statewide Educational Institute, Domestic Violence Training, the Child Support Commissioner Roundtable Training, and the Family Law Facilitator Training.

The AOC's Human Resources Division provides training to help update court staff on current law and best practices in the areas of labor relations, employing court interpreters, the new Judicial Branch Workers' Compensation Program, and performance management.

GOAL: MODERNIZATION OF MANAGEMENT AND ADMINISTRATION

Despite landmark legislation unifying and providing state funding of trial courts, many courts still struggle with outdated business practices that are inconsistent with administrative operations at other courts. Two primary goals of the judicial branch are to facilitate coordinated approaches to statewide issues and to ensure that all state courts obtain satisfactory facilities, share in advances in management practices that eliminate redundant expenditures, and take advantage of operational efficiencies.

Managing Court Facilities

The Trial Court Facilities Act of 2002 provided a process for the transfer of ownership and management responsibility for California's 451 court facilities from the counties to the state over the next few years. To guide the implementation of the legislation, in 2003 the AOC formed the Office of Court Construction and Management (OCCM).

During the year, OCCM completed a seismic assessment; began county transfer negotiations, long-term master planning for facilities, and strategic planning for capital outlay and funding to support design and construction of new and renovated courthouses; and made preparations to assist with facility and real

EASY FILE

To date, 12 superior courts, representing more than 20 percent of the state's population, have joined San Mateo County's EZLegalFile Service Bureau.

estate management for the superior courts, Courts of Appeal, and Supreme Court.

OCCM also engaged seven consulting firms to prepare master plans for the trial court facilities in all 58 counties. Each master plan evaluates proposed improvement projects, including aspects such as the types and amounts of space required, the time frame in which a particular construction or renovation project should be carried out, and the estimated cost. Initial funding for trial court building projects is anticipated in the beginning of fiscal year 2005–2006.

COURTS RETOOL

The Superior Courts of Sacramento and San Diego Counties are leading the way in a process called reengineering, a method that examines a court's work procedures with an eye toward streamlining for more efficiency.

Courts also are increasing their use of the Internet to improve access. For example, the Superior Court of Ventura County replaced its labor-intensive, phone-based system with an online system that gives attorneys and the public more convenient access to tentative rulings on civil and probate motions. The Superior Court of Fresno County introduced an interactive online program to assist litigants in completing court forms for unlawful detainer actions.

E-FORMS

Court users now can fill out all English-language Judicial Council forms online at no charge. The council also is providing forms needed by litigants with visual impairments who use screen reader software.

Court Security Standards

The Judicial Council Working Group on Court Security is developing uniform service standards (see page 5). The group includes representatives from the judicial branch, counties, sheriffs' departments, and law enforcement labor organizations. In fiscal year 2003–2004, \$11 million was cut from the budget for security (to be followed by a \$22 million cut in 2004–2005). These cuts reflect anticipated savings from the adoption of standards.

Complex Civil Case Pilot Project Succeeds

A six-court pilot program operating in 15 departments in California has demonstrated effectiveness in managing and resolving complex civil cases. The program provides closer and more effective judicial supervision of complex cases and has reduced referee appointments, according to a report by the National Center for State Courts. In 2003, the Judicial Council approved a report for submission to the Legislature and the Governor that recommends permanently establishing the program as part of core operations of the pilot program courts and extending the program to other courts that need it.

Changes to the California Rules of Court

The Judicial Council adopted, amended, or repealed 187 rules of court and 10 standards of judicial administration during 2003. Among

these, the council approved more than 64 new and amended rules of court, forms, and standards of judicial administration relating to family and juvenile law. The council also is focusing on increasing the scope and application of statewide uniform rules in order to ease the burden on attorneys, who are crossing county lines more frequently in the course of their practice.

Among the key changes the council adopted or approved in 2003:

- New and amended rules to improve civil case management, clarify criteria for trial setting and continuances, and establish more flexible case disposition time standards. This proposal was developed by the Judicial Council Civil and Small Claims Advisory Committee's Blue Ribbon Panel on the Fair and Efficient Administration of Civil Cases.
- New rules and forms that permit attorneys to provide limited-scope representation to self-represented family law litigants will increase access to justice and encourage court efficiency.
- A new rule that establishes statewide policies for public access to electronic court records while protecting the privacy interests of litigants. The rule defines the minimum contents for court calendars, indexes, and registers of action that are provided to the public electronically.
- Amended rules that improve procedures for sealing court records and clarify the standards for unsealing records.
- New voir dire standards for criminal and civil cases that recognize domestic partnerships and other committed relationships, in addition to the marital relationship.
- New and revised rules for appeals in noncapital criminal cases and from judgments of death, intended to facilitate and expedite the appeal process for court-appointed attorneys, self-represented defendants, and court personnel.

2003 Legislative Highlights

The AOC's Office of Governmental Affairs (OGA) tracked approximately 600 bills of interest to the judicial branch. OGA advocated

the council's position on more than 30 bills. In 2003, eight Judicial Council—sponsored bills were signed into law. The council's legislative package was designed to seek improvements in court administration in line with the judicial branch's strategic plan. In addition to those mentioned in other sections of this report, key measures that succeeded include:

• Assembly Bill 1095 (Corbett) requires the Judicial Council to establish a task force on county law libraries. The task force is charged with identifying the funding needs for county law library operations and facilities.



- Assembly Bill 1180 (Harman) provides that when a person is summoned but fails to appear for jury service, the court may, in lieu of using contempt procedures, impose reasonable monetary sanctions on the prospective juror following an Order to Show Cause hearing.
- Assembly Bill 1641 (Keene) improves procedures authorizing the Chief Justice to issue orders during an emergency.
- Assembly Bill 1710 (Assembly Judiciary Committee) makes technical and clarifying amendments in the area of court operations, as well as in family and juvenile law.
- Assembly Bill 1712 (Assembly Judiciary Committee) conforms various statutory provisions of law to the abolition of municipal courts and their unification within the superior courts.
- Senate Bill 256 (Escutia) makes technical changes to the Trial Court Facilities Act.
- Senate Bill 818 (Escutia) makes technical and clarifying amendments and revises a number of the implementation dates set forth in the

Trial Court Interpreter Employment and Labor Relations Act.

• Senate Bill 940 (Escutia) requires the Judicial Council to adopt guidelines for a comprehensive collection program, establish a collaborative court-county working group on collections, and report on the effectiveness of collection programs. Authorizes the Judicial Council to establish a program providing for the suspension and nonrenewal of business and professional licenses as well as an amnesty program involving the collection of outstanding fees, fines, penalties, and assessments.

Policies and Procedures Revised

The Supreme Court, acting in response to press inquiries, amended its Internal Operating Practices and Procedures to clarify the circumstances in which the court issues a "By the Court" opinion. The court also made amendments to clarify the procedures a justice may use to communicate his or her vote on a matter pending before the court when he or she is temporarily away from the court.

Regulating Legal Practice

The Supreme Court established the Multijurisdictional Practice Implementation Committee, which circulated proposals for recognizing and regulating the practice of law in California by certain categories of attorneys who are not members of the California Bar. The committee will submit its recommendations to the court in the near future.

Courts Share Innovations

The AOC created a new Innovative and Effective Practices section of its password-protected Extranet for California court professionals. The new section provides a forum for courts to share information about promising programs.

GOAL: TECHNOLOGY

Owing to scarce resources, many courts still operate with outdated technology. Because technology plays such a key role in enhancing court administration and the quality of justice, the judicial branch is determined to improve its ability to collect, process, analyze, and share information and increase public access to that information.

Branch Technology Center Opens

The judicial branch's first statewide technology center began operations in 2003. The California Courts Technology Center will host courts' certified case management systems, the Court Accounting and Reporting System (CARS), help desk services, and other applications such as Internet and e-mail.

California Case Management System

The California Case Management System (CCMS) evolved out of a collaborative effort by the courts of the AOC's Southern Region to migrate to a common case management system. The courts found that available vendor products did not meet their requirements,

SANTA CLARA WINS TOP WEB AWARD

The Web site of the Superior Court of Santa Clara County (www.sccsuperiorcourt.org) won first place in a competition sponsored by Justice Served, an alliance of court management and justice experts providing management services, consultation, and training to courts, justice agencies, and their partners in technology. The court's site was selected from a field of 900 other justice-related Web sites for its e-court features, which include jury service status, online traffic school, help for the self-represented, and a special Intranet for complex civil litigation.

primarily because of the size and complexity of their business procedures and interfaces. As a result, in early 2002, the 10 courts in the Southern Region initiated an effort to develop a custom case management system. These courts appointed the Superior Courts of Los Angeles, Orange, San Diego, and Ventura Counties to form an oversight committee to lead the development of this custom case management system.

Concurrent with the development of the custom case management system (CMS), other



initiatives were under way to develop a statewide technology infrastructure for the trial courts. As the custom CMS effort progressed, it was determined that this system should functionally and technically meet the needs of all the trial courts in California as part of the statewide infrastructure.

In February 2003, the Judicial Council approved the statewide infrastructure plan that includes the development and implementation of the California Case Management System. With the Judicial Council's decision, the Superior Courts of Alameda and Sacramento Counties were added to the CCMS Oversight Committee.

The CCMS Oversight Committee chose to base its case management system on the Vision System implemented in the Superior Courts of Ventura and Orange Counties. The complete development of the CCMS is scheduled to last for several years and involves the creation of multiple versions:

• Version 1.5 was completed and installed in Orange County in 2003.

- Version 2.0 (V2) includes the development of the criminal and traffic modules of the custom CMS. The oversight committee awarded this contract to Bearing Point.
- Version 2.0 will be installed in Alameda County this year, followed by an implementation in Orange County.
- Version 3.0 (V3) includes the development of the civil, probate, and small claims modules. In November 2003, the CCMS Oversight Committee awarded the contract to develop V3 to Deloitte Consulting. V3 is slated to be completed in 2005.
- Version 4.0 will add the family and juvenile case type modules. The contract for this version has not been awarded. Work on this phase will not begin until 2005.



Trial Court Telecommunications

The Telecommunications Working Group, made up of court and AOC staff, developed statewide telecommunications standards for the judicial branch. By year's end, 38 courts in the AOC's Northern/Central and Bay Area/Northern Coastal Regions completed network infrastructure upgrades. Courts in the Southern Region will undergo upgrades in 2004.

Branch HR Information System

A major software upgrade to a Web-based version of the Judicial Branch Human Resources Information System was completed to improve the efficiency of HR processes and services for the appellate courts and other judicial branch entities.

GOAL: Access, Fairness, Diversity

The judicial branch is constitutionally obligated to treat all people fairly and ensure equal access to the court system. To fulfill this mandate and to remain a relevant, stabilizing, and trusted social force, the branch seeks ways to become increasingly responsive to a diverse range of public needs.

Online Help for Spanish Speakers

The launch of Centro de Ayuda de las Cortes de California, the Spanish-language edition of the California Courts Online Self-Help Center, represented a major advance toward improving access to court services for the state's expanding Latino communities. Centro de Ayuda (at www.sucorte.ca.gov) logged over 74,864 visits in its first eight months, and usage continues to grow. Some Web pages with domestic violence forms and instructions also were translated into Chinese, Korean, Vietnamese, and Spanish.

Self-Help Programs Expand

Many superior courts continue to establish or expand local self-help services, and a growing number are providing multilingual assistance.

The Superior Court of San Mateo County opened a new self-help center in 2003. To date, 40 percent of local court forms also are available in Spanish. In addition, the court made it possible for the public to pay traffic tickets online.

Three small trial courts in the counties of Butte, Glenn, and Tehama combined their resources to create a regional self-help center.

TOOL KIT

Supported by moneys from the Equal Access Fund, the Center for Families, Children & the Courts prepared an evaluation tool kit for 100 legal services agencies. The tool kit is available online at the Legal Aid Association of California Web site, www.pic.org/toolkits.htm.

NATIVE AMERICAN RESOURCE GUIDE FOR BENCH OFFICERS

This new publication was created by the Access and Fairness Advisory Committee, in conjunction with the National Indian Justice Center, to increase communication between state and tribal justice systems.

Contra Costa County established a Virtual Self-Help Law Center at www.cc-courthelp.org.

The Superior Court of San Francisco County launched a new self-help center called ACCESS (Assisting Court Customers With Educational and Self-Help Services). The program offers services in six languages. This program is one of five legislatively mandated pilot projects funded by the AOC. Each pilot project is testing a different model for self-help services.

In Los Angeles, the superior court's Compton branch launched a new Information Service

L.A.'S FIRST HOMELESS COURT

In Los Angeles County, the superior court set up the county's first homeless court on the city's skid row. Because of this, by the time people appear in homeless court, they already have received months of free legal services from law school students at several universities, with service coordination provided by a public interest law firm. These partnerships have created an innovative court program to help the county's most vulnerable residents.

Center that gives directions and information in English or Spanish to help some 5,000 persons who enter the courthouse each day.

With a new online civil appellate practices and procedures manual, the Court of Appeal,

Fourth Appellate District provides support to the growing number of self-represented litigants who file civil appeals.



Equal Access Fund

This fund, jointly administered by the Legal Services Trust Fund Commission of the State Bar and the Judicial Council continues to finance legal services for low-income litigants and partnerships with local courts to provide self-help assistance. Created in 1999, the trust fund was allocated \$10 million in 2003, which was distributed to 99 legal services organizations that offer free civil legal services to low-income clients.

More Access to Appellate Opinions

The Supreme Court launched a new online service that provides free public access to all state appellate court opinions published in the California Official Reports since California became a state in 1850. The opinions are available on the California Courts Web site.

THEY CAN TOO

Trial courts in Oklahoma, Massachusetts, and Virginia have followed Orange County's model of I-CAN! with self-help projects of their own. New York, Minnesota, and the District of Columbia are working toward this goal, too.

Assessing Civil Discovery

The AOC is surveying nearly 4,000 attorneys and self-represented litigants to learn how civil discovery is conducted, what it costs litigants, and what discovery problems litigants may be experiencing. The results will assist the Judicial Council in identifying issues for improvement in this area.

New Role for Interpreters

The judicial branch continued to implement the Court Interpreter Employment and Labor Relations Act, created to provide trained and certified interpreters for all who need this assistance. The act requires superior courts to offer employment to interpreters who meet certain criteria, with the goal of transforming the status of most interpreters from that of independent contractors to court employees.

In 2003, more than 600 court interpreters changed status from independent contractors to pro tempore employees. In addition, new regional employment committees developed personnel policies, labor relations rules, and a model job classification and application procedures.

Also in 2003, the Telephone Interpreting Pilot Project became permanent for rural counties, five new languages for certification were approved (Armenian, Mandarin, Russian, Punjabi, and Khmer), and interpreters continued to receive ethics training.

Committee Works for Branch Diversity

The Judicial Council's Access and Fairness Advisory Committee was appointed a decade ago to monitor issues related to access to the judicial system and fairness in the state courts.

Key projects in 2003:

- Developing fairness training for temporary judges.
- Developing methods to include sexualorientation diversity issues in training programs for judges with new assignments in criminal, family, juvenile, and probate matters.

- Conducting focus groups to determine how California law schools are training students in the areas of court access and fairness.
- Exploring ways to improve diversity on grand juries by examining recruitment, selection, jury management, and public education.

GOAL: QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC

The courts serve many communities, resolving disputes affecting every sector of society. The judicial branch is working diligently toward parity in assuring quality justice for all Californians.

Jury Reform

The Task Force on Jury System Improvements submitted its final report to the Judicial Council. The report outlines the completed reforms and contains proposals for future action. Included among the task force's 30 proposals is a pay increase for jurors, free parking and public transportation, and on-site child care. The report also proposed legislation that would reduce the peremptory challenges available to parties in criminal and civil cases and would create a tax credit for employers

LOCAL JURY IMPROVEMENTS

The Superior Court of San Mateo County introduced a six-month juror continuance policy. It gives jurors the option of selecting the dates on which they serve and has reduced juror waiting time. The court also has added wireless Internet access in jury assembly rooms.

The Superior Court of Alameda County became one of the first courts in the state to introduce round-the-clock telephone and Web access for people summoned to jury duty. At any time of day or night, prospective jurors in that county now can confirm their jury information, reschedule jury service, or obtain work certification documents.

FAMILY TREATMENT PROGRAM CELEBRATES SUCCESS

The Superior Court of Santa Clara County celebrated its first Family Treatment Program graduation in 2003. The program has assisted more than 50 clients involved in child custody/visitation disputes who voluntarily participated in substance abuse treatment.

who pay regular compensation and benefits while their employees are on jury duty.

Civil instructions: The Judicial Council officially adopted new civil jury instructions that emphasize plain, straightforward language. The Task Force on Jury Instructions spent hundreds of hours developing the new instructions, which California courts have been authorized to use in civil trials starting September 2003. Criminal instructions will be available in early 2006.



Business education campaign: To raise awareness about the one-day or one-trial system and how it works, the courts implemented the "One Day or One Trial—It's Better for Business" campaign in 2003. This campaign is thought to be the first jury education program in the country that recognizes the critical role employers play in making it possible for many jurors to participate in this important civic duty.

Model summons: The Judicial Council received the Task Force on Jury System Improvements' recommendation for a model juror summons for use statewide. The summons has been shown to increase juror compliance in pilot courts.

Sanctions: New legislation permits courts to impose sanctions on prospective jurors who fail to respond to a jury summons.

Unified Courts for Families

In 2003, 31 trial courts completed planning grant projects that will enable them to better coordinate juvenile and family court matters. From this group, six mentor courts were established in Butte and Glenn (working as a collaborative), Del Norte, Los Angeles, Napa, San Joaquin, and Yolo Counties. Over the next three years, these courts will implement procedures and develop protocols to address serving families with multiple cases under way, provide case management services, and coordinate referrals to community-based services.

MILESTONES IN DEPENDENCY COURT

In San Bernardino County, a new Juvenile Dependency Court and Department of Children's Services building is under construction after more than four years of facility planning. Dependency proceedings and related services for children and families will move out of two trailers and into the modern courthouse and county building in 2004–2005. More than 3,000 dependency cases are filed annually at the court.

In San Diego County, reforms in the dependency court are based on a model of aggressively treating substance abuse by parents. The program has reduced the time for processing cases from an average of about 38 months to 19 months, which has led to shorter stays in foster care for children, according to a study by the U.S. Department of Health and Human Services.

TEACHING TEACHERS ABOUT DOMESTIC VIOLENCE

The Superior Court of Orange County held its fifth annual Children in Crisis teachers' conference in 2003. Some 900 teachers and counselors, mandated by state law to report child abuse, attended the conference to learn detection methods, hear expert opinions, and meet with representatives of social service agencies.

Court Improvement Project Reassessment

To address the expanded role of courts in achieving stable, permanent homes for children in foster care, the AOC is conducting a comprehensive review of laws, procedures, and practices related to juvenile dependency cases as well as research about case outcomes. This project also includes a statewide survey of juvenile court judicial officers, personnel, and participants. A final report is due in June 2005.

Family Law Information Centers

Three pilot Family Law Information Centers have been a "resounding success" in providing services to more than 45,000 low-income litigants over a one-year period, according to a Judicial Council study (see "Reports and Studies"). The legislatively mandated help centers, operating in the Superior Courts of Los Angeles, Sutter, and Fresno Counties, provide legal assistance in cases involving dissolution, paternity, child support enforcement, and domestic violence prevention.

Program Review and Technical Assistance

In this program, AOC staff attorneys visit juvenile courts to provide technical assistance, monitor compliance with requirements of Title IV-E of the Social Security Act related to foster-

care funding, and conduct peer assessment and compliance reviews for the Court Appointed Special Advocate (CASA) offices.

New Domestic Violence/Sexual Assault/Stalking Initiative

The AOC, in collaboration with representatives from local courts and justice-related groups, launched the Violence Against Women Education Project. The project is designed to ensure that court staff and judicial officers have the necessary information, educational materials, and training to respond to domestic violence, sexual assault, and stalking cases. The project is funded by the Governor's Office of Homeland Security/Office of Emergency Services with resources from the federal Office on Violence Against Women.

CASA for Children

Nearly 4,900 Court Appointed Special Advocate (CASA) volunteers currently are providing over 643,000 annual hours of service to more than 50,000 children. In 2003, there were 40 CASA programs in 41 counties receiving funding from the AOC. CASA volunteers are appointed by the court to provide one-on-one advocacy for juvenile dependents.

Support for Collaborative Justice

The judicial branch continues to expand the use of collaborative justice courts, including domestic violence, drug, and juvenile mental health courts. These programs are helping redefine the role of courts in various areas, leading them to treat the root causes of certain crimes in partnership with other organizations.

During 2003, the Initiative in Collaborative Justice in Juvenile Courts expanded funding to develop a system of collaborative justice court programs statewide, with grants to local courts as well as funding for a restorative justice project, as a joint effort with the Center for Families, Children & the Courts.



The AOC also initiated a project to address multiple DUI offenders and youth at risk of multiple offenses.

Toward Greater Public Understanding

Efforts continue on both the state and local levels to improve public understanding of the justice system. The branch maintains the awardwinning California Courts Web site, described by an Internet guide as "the single most detailed judicial page available for any state's court system in the nation." The site draws record numbers of page views. In 2003, the site logged more than 6.1 million visits from users, who came to access opinions, forms, instructions on court procedures, and answers to questions once only available by visiting a courthouse.

In addition to the Web site, the Judicial Council publishes numerous documents for researchers and court users, including the *Court Statistics Report*, fact sheets, and visitors' guides to the courts. The council and many courts issue regular news releases and advisories to the public and news media and work with the media to develop timely and accurate information about the courts. The AOC issued more than 100 news releases and advisories in 2003 to keep the media and public informed of official council actions and court news. In an annual year-end meeting, the Chief Justice met with statewide editors and reporters to brief them on important developments in court administration.

The AOC also sponsored statewide public education campaigns on key programs to

improve the California justice system. Favorable media coverage was received statewide on the adoption of new civil jury instructions, the success of collaborative justice courts, the 100th anniversary of the California juvenile court, and the Supreme Court's public education session in San Jose.

Courts Educate the Public

Many appellate and trial courts also have established programs to improve public understanding about the workings of the court system.

The appellate courts held oral arguments in schools. More than 500 high school and law students attended the California Supreme Court's special oral argument session in San Jose in December 2003, which was televised live by the California Channel to more than 5.6 million viewers.

Many trial courts invited teachers and students to their courthouses to learn about court proceedings.

The Superior Court of San Mateo County sent judges to teach high school classes for a day and held a Community Law Night at the courthouse.

CALIFORNIA JUVENILE COURT CENTENNIAL CELEBRATION

In December, more than 2,000 judicial officers, court staff, attorneys, Court Appointed Special Advocates, and staff from probation departments and child welfare agencies attended a celebration marking the 100th anniversary of the juvenile court in California. During two days of educational sessions, artwork and poetry created by children in the juvenile court system was on display, and children performed musical numbers to express their experiences. Guests received a CD containing inspirational stories told by people of all ages and walks of life who have been involved in the juvenile court.

Courts also hosted other public gatherings, such as Alameda County's Juvenile Justice Forum that brought together youth, parents, educators, and justice groups.

During Law Week in May, the Superior Court of Orange County held an open house for 300 eighth graders and local government leaders.

In Los Angeles, the superior court invited diplomats to discuss legal procedures that may impact international travelers and residents.

Honors and Awards

CHIEF JUSTICE HEADS NATIONAL CONFERENCE OF CHIEF JUSTICES

Chief Justice Ronald M. George took office as president of the Conference of Chief Justices (CCJ), a national organization that represents the top judicial officers of the 50 states and U.S. territories. He succeeded Chief Judge Judith S. Kaye of New York for a one-year term. As CCJ president, the Chief Justice became a national leader and spokesperson on important issues facing state courts. He also became chair of the Board of Directors of the National Center for State Courts.

2003 DISTINGUISHED SERVICE AWARDS

Presented annually by the Judicial Council to persons who demonstrate extraordinary leadership and make significant contributions to the administration of justice in California, the 2003 winners are:

SELF-HELP AWARD

In 2003, the Superior Court of Ventura County won awards from the State Information Officers Council for its Tip of the Day radio series of self-help Spanish-language announcements and for its Annual Report and Community Guide.

Jurist of the Year Awards: Justice Carol A. Corrigan, Court of Appeal, First Appellate District, Justice James D. Ward, Court of Appeal, Fourth Appellate District; and Judge Leonard P. Edwards, Superior Court of Santa Clara County.

Judicial Administration Awards: Jeanne Millsaps, Executive Officer, Superior Court of San Joaquin County; Christine M. Hansen, Director of the Finance Division of the Administrative Office of the Courts.

Bernard E. Witkin Awards: James Herman, president of the State Bar in 2002–2003; and former Governor George Deukmejian.

JUDICIAL COUNCIL WINS 2003 BURTON AWARD

The Burton Foundation, dedicated to refining and enriching legal writing, presented its 2003 Burton Award to the Judicial Council for its role in rewriting California's civil and criminal jury instructions into more concise and understandable language.

CFCC WINS HODSON AWARD FOR PUBLIC SERVICE

The American Bar Association awarded the AOC's Center for Families, Children & the Courts (CFCC) its 2003 Hodson Award in recognition of sustained, outstanding performance and extraordinary service.

2003 KLEPS AWARDS

The Judicial Council selected the following recipients of the 2003 Ralph N. Kleps Award for Improvement in the Administration of the Courts, an annual awards program recognizing innovation in the state's courts: Superior Court of Fresno County: The court established Centro de Recursos Legales—a self-help center to assist Spanish-speaking self-represented litigants by offering educational information about court procedures and interpreter assistance.

Superior Court of Inyo County: Established a dedicated child support calendar in a night court setting that allows working parents to attend without adverse economic impacts.

Superior Court of Los Angeles County: Created the Teachers' Courthouse Seminar that brings high school government teachers to a local courthouse for a one-day, interactive observation of the criminal justice system.

Superior Court of San Mateo County: Developed the EZLegal-File Service Bureau, an Internet-based, interactive program that allows litigants to complete Judicial Council forms in family law, small claims, or unlawful detainer cases. The bureau is available to any trial court in the state.

Superior Court of Siskiyou County: Working with stakeholders, the court produced visual storytelling brochures to guide litigants through eight subject areas of the legal system. Six of the guides have been translated into Spanish.

Superior Court of Ventura County: Developed a Tip of the Day program, consisting of daily fiveminute public service announcements in Spanish on a local

FIRST HISTORY OF CALIFORNIA COURT ADMINISTRATION

The AOC published Committed to Justice: The Rise of Judicial Administration in California. the first history of court administration in California. The book chronicles the transformation of the state's multiple local court systems into a modern, unified judicial branch, from statehood to the close of the 20th century. The book's author, Larry L. Sipes, is president emeritus of the National Center for State Courts and was the AOC's inaugural scholar-inresidence.

Spanish-language radio station. The court started the program in 2002 to promote its no-cost, self-help legal access centers. Each tip is intended to provide general information to the community while also informing citizens of the wide range of services and programs offered by the court.

Superior Court of Yolo County: Established a specialized clinic, facilitated by a court staff attorney, to assist self-represented grandparents and other caretakers with the guardianship process.

Superior Court of Orange County: Established I-CAN!, multilingual, interactive, and tutorial modules that enable self-represented litigants to create properly formatted pleadings and complete legal forms using a touchscreen

or Web interface. Users obtain immediate technical assistance from legal aid staff by using Internet phone technology that has been integrated into the system. The I-CAN! system is used in nine other counties and is proposed for use in seven others.

Court of Appeal, Fourth Appellate District: Produced a manual containing forms and samples that instructs self-represented litigants who are undertaking an appeal on how to proceed in the Fourth Appellate District, Division One.

Court of Appeal, Fifth Appellate District: Combined its "The Courts as Curriculum" program with the California Supreme Court's special session of its oral argument calendar held in Fresno. More than 100 students were able to attend the session held at the appellate court, and it was broadcast live on television, allowing thousands of individuals to see the court in action.

Reports and Studies

The following publications, along with hundreds of others from previous years, are available on the California Courts Web site (www.courtinfo.ca.gov):

- A Report to the California Legislature—Family Law Information Centers: An Evaluation of Three Pilot Programs (March)
- A Report and Analysis of Action Plans Throughout California: Integrating Services for Self-Represented Litigants Into the Court System (June)
- Action Plans for Unified Courts for Families (July)
- A Report to the California Legislature: California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents Fiscal Years 2001–2002 and 2002–2003 (February)
- California Juvenile Statistical Abstract Dependency Counsel Caseload Study: Interim Report
- Court-Based Juvenile Dependency Mediation in California (March)

MAY I HELP YOU?

Legal Advice vs. Legal Information: A Resource Guide for Court Clerks

This quick reference was published by the Access and Fairness Advisory Committee and distributed in 2003 to court staff who provide telephone and counter assistance.

- Difficult Cases in Court-Based Child Custody Mediation in California (March)
- Evaluation of the Centers for Complex Civil Litigation Pilot Program (June)
- Collaborative Justice Courts Advisory Committee: Annual Progress Report (February)
- Final Report of the Task Force on Jury System Improvements (April)

- Infants and Toddlers Demonstration Project Final Report (May)
- Parenting in the Context of Domestic Violence (March)
- Probation Services Task Force Final Report (June)
- Programs for Children of Separating Parents: Literature Review and Directions for Future Research (September)
- Report regarding Dependency Drug Courts, pursuant to AB 1744, submitted by the Department of Social Services, in collaboration with the Department of Alcohol and Drug Programs and the AOC
- Status Report on 2003 Legislation Considered by the Policy Coordination and Liaison Committee (October)
- Results From the 2003 Survey of Administrative Models (May)



Manuel R., a court participant

TRENDS IN COURT WORKLOAD

otal statewide court system filings dipped slightly in fiscal year 2002–2003. Trial court filings fell to just below 8 million, a decline of 4.8 percent compared with 8.4 million filings the previous fiscal year. Appellate court filings, which totaled 30,905, fell 1.2 percent during this period.

Statewide case dispositions in the trial courts experienced a larger decline (7.7 percent) during this period, dropping from 7.8 million dispositions in fiscal year 2001–2002 to 7.2 million in the current year.

For a variety of reasons, the aggregate trend for trial court filings and dispositions may not provide an accurate picture of the courts' workload. While some case categories experienced decreases in filings or dispositions in fiscal year 2002–2003 compared to the previous year, others showed increases. Filings of general "other" civil complaints, for example,

fell by approximately 8 percent while filings of nontraffic infractions rose by 7 percent. While felony cases rose slightly during this period, general civil cases dropped by 5 percent. Case dispositions revealed similarly varied patterns for different case categories.

It is also impossible to evaluate statewide filing trends without considering the impact of the largest trial court in the state, the Superior Court of Los Angeles County. Overall, about 3 of every 10 cases in California are filed in Los Angeles. Because superior court filings in Los Angeles make up such a large proportion of total state filings, changes in that county's filings tend to drive statewide trends and do not necessarily represent filing trends in other areas of the state. For example, the Superior Court of Los Angeles County experienced a 17.4 percent decline in family law filings from fiscal year 2001–2002 to 2002–2003, which

accounts for approximately 62 percent of the decline statewide. During the same time period over 20 superior courts saw their family law filings grow.

In addition to varying patterns among case categories and differences across the courts, other factors that influence the workload of the trial courts include demographic shifts, immigration, economic growth, and changes in state and federal law, as well as innovations in case processing and the judicial branch's continued commitment to providing equal access, fairness, and integrity in case processing.

Trends in Case Settlement

The public perception of court workload is greatly influenced by the news and entertainment media that overemphasize the role of jury trials in dispute resolution. In reality, just a fraction of cases filed ever go to trial. Among criminal cases, the most likely to be tried by jury are felony cases. Yet of all felony cases disposed of by the courts in fiscal year 2002–2003, only 3 percent were disposed of after a jury trial. Among the most commonly tried civil cases, general civil, dispositions after jury trial accounted for an even smaller proportion of the total dispositions—a mere 1.2 percent.

Most cases are resolved through negotiations between the parties, including pleabargaining in criminal cases and mediation and arbitration in civil cases. Parties to disputes avoid trials in most cases because trials are the most costly and time-consuming method for resolving disputes. For these reasons, the California court system seeks to provide alternative forms of dispute resolution wherever appropriate.

Alternative Dispute Resolution

Alternative dispute resolution (ADR) in civil cases includes mediation and arbitration. According to the *Evaluation of the Early Mediation Pilot Programs*, a recently completed study of court-connected early mediation programs for general civil cases in five superior courts in California,



mediation results in substantial benefits to both litigants and the courts. Among the benefits documented by the study were (1) increases in the proportion of cases settled without going to trial, (2) reductions in case disposition time and the courts' workload, (3) increases in litigant satisfaction with the courts' services, and (4) decreases in litigant costs in some courts.

While court-connected ADR programs benefit the courts by reducing the overall work-load required for case disposition, they also require that additional resources be devoted to processing each case more carefully in order to guide litigants to more appropriate methods of resolution. As more courts implement ADR programs, resources will need to be shifted to provide for the intensive case management that successful early mediation requires.

Collaborative Justice Courts

Collaborative justice courts represent another innovative case-processing method. Collaborative justice refers to cooperation between the courts, law enforcement, and social service organizations in resolving cases. These specialized courts grew out of a recognition that traditional forms of prosecuting offenses failed to resolve certain types of cases over the long run.

Drug courts and youth/peer courts were the earliest types of collaborative justice courts and remain the most common. Working collaboratively with prosecutors, public defenders, treatment providers, and offenders, these courts seek to end the cycle of recidivism by providing offenders with treatment and social services as well as court oversight.

In recent years the collaborative justice courts model has spread to other types of cases, including mental health, domestic violence, homeless, and veterans, among others. Currently there are an estimated 250 such courts in California. These courts are found within adult criminal, juvenile delinquency, juvenile dependency, and civil court.

Studies in California and nationally have shown that these courts reduce overall costs and improve justice in the long run. A recent study of drug courts estimated that the program saved the state \$40 million dollars over a two-year time frame. These savings, mainly in costs to the prison and jail systems, come primarily from low recidivism rates.

Self-Represented Litigants

The growing numbers of self-represented litigants in the courts represent a serious challenge to ensuring that justice is served. Tremendous strides have been made at the statewide and local court levels to assist these litigants. These efforts have helped reduce the need for continuances due to incomplete or missing documents. However, self-represented litigants still must navigate through the litigation process once they have filed their cases, and misunderstandings of, or unfamiliarity with, legal procedures remains a challenge for the

courts and for the litigants. Delays and extended hearing time are often caused by judicial officers investing time in explaining court procedures and other related legal issues to litigants who are unfamiliar with the law.

As of 2003, 52 trial courts have developed action plans to improve access and fairness for self-represented litigants. Some of the services proposed in the court plans include the following:

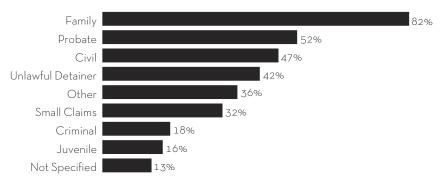
- Expanded self-help centers and staff assistance to provide self-represented litigants with procedural information such as how to conduct settlement negotiations on financial matters and how to prepare orders after hearings;
- Written materials to instruct litigants on basic court procedures and how to complete forms;
- Expanded use of technology that will include more information about court procedures;
- Encouragement of limited-scope representation or "unbundling" of legal services;
- Training for court staff and judges on serving self-represented litigants; and
- Changing court facilities to make it easier for self-represented litigants to find their way around the courthouse

Statewide Programs

On the statewide level, the bilingual California Courts Online Self-Help Center contains some 900 pages of tools, resources, and links to help

Case Types for Which Self-Represented Litigants Need Assistance

Percentage of trial court action plans citing each case type



Total exceeds 100 percent because the courts were asked to select all case types for which assistance for self-represented litigants is needed.

In their action plans, courts have identified the needs of self-represented litigants by case types. Cases involving family law have the greatest need, followed by probate and civil matters. (See the June 2003 Report and Analysis of Action Plans Throughout California: Integrating Services for Self-Represented Litigants Into the Court System at www.courtinfo.ca.gov/programs/cfcc/resources/publications/actionplanrpt.htm.)

Californians find legal assistance, learn about state law, work smarter with an attorney, and represent themselves in some legal matters. Since the site was launched in English in July 2001, it has served some 3.41 million people. The Spanish version, launched in August 2003, has already received 74,864 visits by year's end.

Another statewide program involves Family Law Information Centers. Pilot centers in three California trial courts have been a "resounding success" in providing services to low-income litigants over a one-year period. (See the Judicial Council's report on this pilot program at www.courtinfo.ca.gov/programs/cfcc/resources/publications/FLICrpt.htm.)

Pilot centers began in 1999 in the Superior Courts of Los Angeles, Sutter, and Fresno Counties. Following are some key findings of the report:

Low-income litigants were "overwhelmingly pleased" with the services they received. A survey showed that more than 80 percent felt they were better prepared to go to court and came away with an improved understanding of their cases and the court system in general.

Of the 24 pilot program judges surveyed, 21 said that the Family Law Information Centers "save courtroom time" and help expedite the cases of self-represented litigants.

With funding of \$300,000 from the Legislature and \$120,000 from the pilot courts, the three Family Law Information Centers provided services to more than 45,000 low-income litigants at a cost of approximately \$9.33 per customer.

Statutory Changes

Statutes that create new crimes or causes of action or that require new notices or judicial findings increase workload for court personnel. While most individual statutes have little impact on workload, cumulatively the impact can be quite large. In 2003, there were 130 bills that affected the courts or had general interest to the legal community. Thirty-eight of these bills concerned civil law and procedure, 29 concerned

TRIAL COURT FILINGS BY CASE TYPE

Fiscal Year 2002-2003

| Number of Filings 49,369 | PERCENTAGE OF TOTAL FILINGS 0.6 |
|--------------------------------|--|
| 49,369 | 0.6 |
| | |
| | |
| 29,467 | 0.4 |
| 113,946 | 1.4 |
| 15,871 | 0.2 |
| 10,832 | 0.1 |
| 219,485 | 2.7 |
| 499,220 | 6.2 |
| 308,672 | 3.9 |
| 807,892 | 10.1 |
| 148,511 | 1.9 |
| 89,113 | 1.1 |
| 39,266 | 0.5 |
| 11,629 | 0.2 |
| 49,718 | 0.6 |
| 302,569 | 3.8 |
| 640,806 | 8.0 |
| 246,034 | 3.1 |
| | |
| | 6.1 |
| 667,486 | 13.6 |
| 1,402,090 | 17.5 |
| 250,745 | 3.1 |
| 4,673,131 | 58.5 |
| 4,923,876 | 61.6 |
| 7,994,149 | 100.0 |
| | 113,946 15,871 10,832 219,485 499,220 308,672 807,892 148,511 89,113 39,266 11,629 49,718 302,569 640,806 246,034 488,570 667,486 1,402,090 250,745 4,673,131 4,923,876 |

criminal law and procedure, and 22 concerned family and juvenile law and procedure.

New Civil Delay Reduction Rules

In December 2003, the Judicial Council adopted a set of recommendations from the Blue Ribbon Panel of Experts on the Fair and Efficient Administration of Civil Cases. The new rules,



effective January 2004, are expected to impact the courts' practice in trial delay reduction, differential case management, and case processing in general.

While the Trial Court Delay Reduction Act, which was adopted for all civil cases in the early 1990s, significantly reduced the amount of time required for civil cases to reach disposition, the new rules emphasize a more flexible approach to managing civil cases in a fair and efficient manner.

In conjunction with new rules on case management conferences that became effective in July 2002, the new civil delay reduction rules are likely to increase the courts' workload as judges and staff provide more individualized treatment for each case.

Statewide Need for New Judges

Providing a reasonable level of judicial services to California litigants is directly related to the number of judicial officers available to handle the approximately 8 million cases filed in the trial courts annually in recent years.

A study conducted by the Administrative Office of the Courts' Office of Court Research and the National Center for State Courts has established a need for approximately 300 new judicial officers within the trial courts.

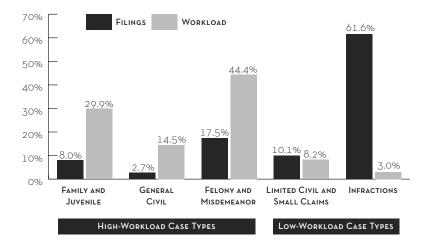
The distribution of these new judgeships among courts will be influenced by a number of factors. These factors include population and filings growth within court jurisdictions, the case mix that different courts must adjudicate, and the level of financial and judicial resources courts have had access to historically.

These new judgeships would help meet the growing demands placed on the trial courts, as well as the need to maintain acceptable levels of judicial service to the people of California.

TRANSLATING TRIAL COURT FILINGS INTO JUDICIAL OFFICER WORKLOAD

Fiscal Year 2002-2003

Filings and workload of each case type presented as a percentage of total



For an accurate understanding of judicial workload, filings must be considered together with an analysis of case types. For example, although family and juvenile cases represent only 3.5 percent of total filings, they account for nearly one-third of the trial courts' judicial workload based on workload standards adopted by the Judicial Council. Conversely, infraction filings make up almost two-thirds of total court filings, but represent only 3 percent of judicial overall workload.

Assigned Judges Assist With Workload

While courts wait for needed new judgeships, they often rely on the assistance of judges from other courts, but chiefly seek assistance from retired judges.

Under article VI, section 6 of the California Constitution, the Chief Justice has the authority to assign sitting and retired judges to courts that have needs for assistance arising from vacancies, illnesses, and disqualification of judges as well as from calendar congestion.

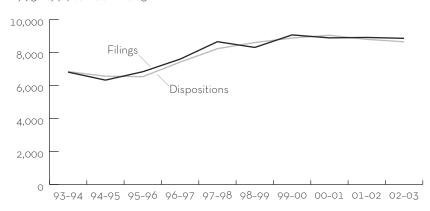
The Assigned Judges Program serves an important role in enabling the trial courts to



perform their work effectively and expeditiously. In fiscal year 2002–2003, assigned judges provided more than 28,000 days of assistance to the trial courts.

TOTAL SUPREME COURT FILINGS AND DISPOSITIONS

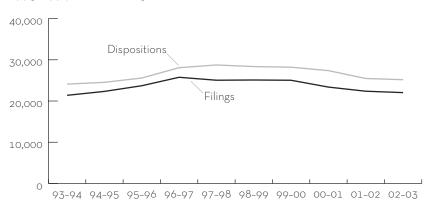
1993-1994 to 2002-2003



In fiscal year 2002-2003, Supreme Court filings decreased from 8,917 filings in the previous fiscal year to 8,862, while dispositions declined from 8,802 to 8,652. The court filed opinions in a total of 123 cases compared with 101 the previous year. Petitions for review from original criminal proceedings remained the same. Original habeas petitions fell from 2,775 to 2,752 over this same period.

TOTAL COURTS OF APPEAL FILINGS AND DISPOSITIONS

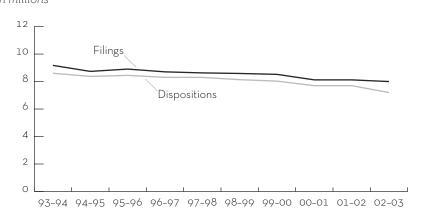
1993-1994 to 2002-2003



Filings and dispositions declined only slightly following a period of significant increase early in the last decade. In 2002–2003, filings totaled 22,043, down from 22,379 the year before, and dispositions declined from 25,465 to 25,175. There were 12,543 dispositions by written opinion.

TOTAL TRIAL COURT FILINGS AND DISPOSITIONS

1993-1994 to 2002-2003 In millions



Trial court filings fell slightly to about 8 million. Trial court dispositions dropped from 7.8 million in 2001-2002 to 7.2 million in 2002-2003, a decline of 7.7 percent. Of the total reported filings, the majority involved cases where litigants appeared in court without attorneys, a key workload issue for the courts. For example, traffic misdemeanors and infractions represented over 5.3 million filings, while small claims cases accounted for another 308,672 filings, and family-related filings 451,080.



Eeyore, a court participant

JUDICIAL BRANCH RESOURCES

he overall fiscal outlook continued to be problematic in 2003, with little growth in the state economy and continuing deficits projected for the next several years.

Challenged by successive years of budget reductions, the court system worked diligently to minimize the impact of these funding cuts on critical public services. In response to the last round of 2003 budget reductions, trial courts implemented or continued a variety of cost-reduction measures that included hiring freezes; voluntary furloughs; reductions in training, travel, and overtime expenses; reduced spending for office supplies, subscriptions, and consulting services; and deferrals of equipment purchases and contracts. In facing these reductions, many courts used innovative service-delivery approaches, such as cooperative agreements

with local government entities (e.g., county law libraries) and increased numbers of self-help kiosks, to help maintain access to critical court functions.

In its efforts to prudently manage finite public resources, the judicial branch continued to make progress in implementing its various fiscal accountability initiatives, including further expansion of its comprehensive internal audit program and continued rollout of a statewide accounting system for the trial courts.

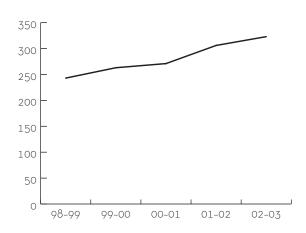
Court Security

Court security costs have increased dramatically over the past five years. In 2002, Senate Bill 1396 (Dunn) was enacted, requiring that each of California's 58 trial courts prepare and

implement a court security plan and, in addition, that each sheriff or marshal prepare and implement a law enforcement security plan. Cosponsored by the California State Sheriffs' Association, the bill clarified allowable and unallowable state costs for court security and required the Judicial Council to establish a working group on court security. This group, authorized by rule 6.170 of the California Rules of Court, is currently identifying the courts' various security needs and the associated costs, and is working to develop recommendations for achieving operational efficiencies in the provision of court security to reduce overall costs.

How Costs for Court Security Are Increasing

1998-1999 to 2002-2003 In millions of dollars



JUDICIAL BRANCH FUNDING

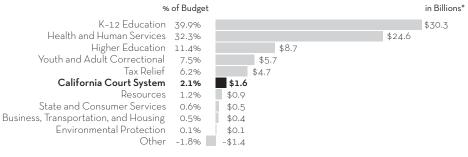
Fiscal Year 2003-2004 In millions of dollars From All Sources Supreme Court 39 Courts of Appeal 173 Judicial Council/AOC 167* Habeas Corpus Resource Center 11 Unallocated Reduction -9 Commission on Judicial Performance 4 Total-Judicial Programs 385 Trial Courts: General Fund 3 Trial Court Trust Fund 2,097 Trial Court Improvement Fund 132 Modernization Fund 30 Workers' Compensation Fund -7 Total-Trial Courts 2,255 **Judiciary Total** 2,640 State Budget 97,435

Notes:

Data from FY 2004–2005 Governor's Budget.

*Included within this amount is \$61.1 million in "pass-through" funding to the trial courts.

How Does Spending for California's Court System Compare With Other Budget Categories?



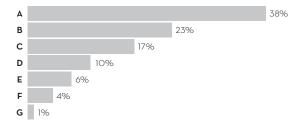
Notes:

Data from FY 2004-2005 Governor's Budget (budget year).

*General Fund expenditures

WHAT DOES THE GENERAL FUND CONTRIBUTE TO THE JUDICIARY'S BUDGET?*

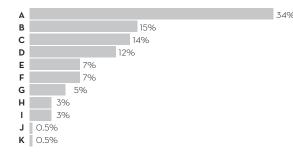
This includes the Supreme Court, the Courts of Appeal, the Judicial Council/AOC, and the Habeas Corpus Resource Center.



- (A): Nonjudicial Salaries, Benefits, and Operating Expenses and Equipment (Restricted) (includes death penalty cases, criminal cases, juvenile cases, Assigned Judges Program, rule making, mandated programs and reports, and Habeas Corpus Resource Center)
- (B): Court-Appointed Counsel and Program Support (Restricted)
- (C): Nonjudicial Salaries, Benefits, and Operating Expenses and Equipment (Nonrestricted)
- (D): Facilities—Rent (Restricted)
- (E): Judicial Salaries and Benefits (Restricted)
- (F): Local Assistance (Nonrestricted)
- (G): Security (Restricted)

WHAT DOES THE GENERAL FUND CONTRIBUTE TO THE TRIAL COURTS' BUDGET?*

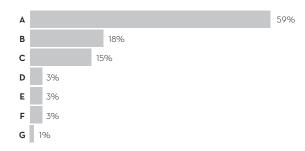
Nonrestricted (34%) versus Restricted (66%) Fund 0450 includes funding for the trial courts alone.



- 34% (A): Nonrestricted (includes court employee salaries and benefits, and operating expenses and equipment related to activities such as administration and civil and family law cases)
 - (B): Security
 - (C): Judges and Subordinate Judicial Officer Salaries
 - (D): Criminal (includes transcripts and court employee salaries and benefits)
 - (E): Family and Children (includes court-appointed counsel and court employee salaries and benefits)
 - (F): Court Reporters
 - (G): Traffic (includes court employee salaries and benefits)
 - (H): Jury
 - (I): Contract Interpreters
 - (J): Rent and Utilities
 - (K): Probate

HOW IS THE TRIAL COURTS' BUDGET SPENT?*

Fiscal Year 2002-2003*



- (A): Salaries and Benefits
- (B): Other (includes miscellaneous expenses such as rent, janitorial services, phone and telecommunications, printing and postage, equipment, travel and training, legal subscriptions and memberships, and fees for consultative and professional services)
- (C): Security
- (D): County Charges
- (E): Electronic Data Processing
- (F): Court Interpreters
- (G): Court Reporting
- *General Fund

^{*} The sum of all categories may not equal 100% due to rounding.

EXPENDITURES* AND STAFFING** BY TRIAL COURT SYSTEM

*Combined Trial Court Trust Fund (TCTF) and non-TCTF expenditures. Data from FY 2002-2003 Quarterly Financial Statements (fourth quarter); includes Trial Court Improvement Fund and Judicial Administration Efficiency and Modernization Fund expenditures.

^{**}The judicial branch further advanced unification goals by assuming new responsibility for implementing the transfer of court employees from county to court supervision and by reclassifying court interpreters as court employees. FY 2002-2003 Total Authorized FTEs (as of July 1, 2003); data includes permanent employees, temporary help, subordinate judicial officers, commissioners, referees, and judgeships—both Trial Court Trust Fund (TCTF) and non-TCTF court employees.

| | S T A | FFING | |
|--------------|------------|-----------------|---------------|
| COURT | Judgeships | AUTHORIZED FTES | Expenditures |
| Alameda | 69 | 863.4 | \$99,594,064 |
| Alpine | 2 | 5.9 | \$553,025 |
| Amador | 2 | 33.27 | \$3,066,124 |
| Butte | 10 | 130.55 | \$13,006,205 |
| Calaveras | 2 | 26.4 | \$2,130,068 |
| Colusa | 2 | 13 | \$1,156,276 |
| Contra Costa | 33 | 409.5 | \$54,101,096 |
| Del Norte | 2 | 30.1 | \$2,205,556 |
| El Dorado | 6 | 96.8 | \$9,300,805 |
| Fresno | 36 | 479.96 | \$43,205,036 |
| Glenn | 2 | 21 | \$2,106,638 |
| Humboldt | 7 | 87.47 | \$6,955,060 |
| Imperial | 9 | 98.31 | \$7,919,688 |
| Inyo | 2 | 19 | \$2,128,549 |
| Kern | 33 | 425 | \$39,868,581 |
| Kings | 7 | 81.6 | \$6,641,746 |
| Lake | 4 | 37.8 | \$3,460,972 |
| Lassen | 2 | 22.5 | \$2,187,944 |
| Los Angeles | 429 | 5,652.22 | \$659,728,330 |
| Madera | 7 | 79.25 | \$5,520,937 |
| Marin | 10 | 161.5 | \$17,641,495 |
| Mariposa | 2 | 12 | \$943,285 |
| Mendocino | 8 | 84 | \$7,880,251 |
| Merced | 6 | 104 | \$9,328,800 |
| Modoc | 2 | 9 | \$630,310 |
| Mono | 2 | 14.25 | \$1,421,709 |

| | S T A | STAFFING | | | |
|-----------------|------------|-----------------|-----------------|--|--|
| Court | JUDGESHIPS | AUTHORIZED FTES | EXPENDITURES | | |
| Monterey | 18 | 193.3 | \$17,393,528 | | |
| Napa | 6 | 90.95 | \$10,551,728 | | |
| Nevada | 6 | 67.05 | \$6,285,585 | | |
| Orange | 109 | 1,579.50 | \$170,434,165 | | |
| Placer | 9 | 131.65 | \$12,289,070 | | |
| Plumas | 2 | 17.75 | \$1,858,404 | | |
| Riverside | 49 | 807.75 | \$84,736,388 | | |
| Sacramento | 52 | 824.14 | \$78,266,865 | | |
| San Benito | 2 | 30.2 | \$2,270,520 | | |
| San Bernardino | 63 | 909.5 | \$77,754,024 | | |
| San Diego | 128 | 1,643.63 | \$168,240,902 | | |
| San Francisco | 50 | 556.48 | \$86,094,730 | | |
| San Joaquin | 26 | 302.75 | \$28,252,025 | | |
| San Luis Obispo | 11 | 152.1 | \$15,444,222 | | |
| San Mateo | 26 | 361.37 | \$39,786,405 | | |
| Santa Barbara | 19 | 287.4 | \$25,152,016 | | |
| Santa Clara | 79 | 819.5 | \$114,862,477 | | |
| Santa Cruz | 10 | 140.87 | \$14,793,714 | | |
| Shasta | 9 | 176.5 | \$11,696,339 | | |
| Sierra | 2 | 4.9 | \$667,099 | | |
| Siskiyou | 4 | 65 | \$5,248,849 | | |
| Solano | 16 | 234 | \$22,584,657 | | |
| Sonoma | 16 | 196.5 | \$28,150,207 | | |
| Stanislaus | 17 | 210.1 | \$17,336,241 | | |
| Sutter | 5 | 46.6 | \$3,969,285 | | |
| Tehama | 4 | 46 | \$3,277,421 | | |
| Trinity | 2 | 12.5 | \$993,042 | | |
| Tulare | 16 | 207 | \$18,368,599 | | |
| Tuolumne | 4 | 40 | \$3,599,402 | | |
| Ventura | 28 | 353 | \$41,904,903 | | |
| Yolo | 9 | 108.2 | \$9,145,328 | | |
| Yuba | 5 | 50.83 | \$4,131,290 | | |
| Expenditures | 1,498 | 19,664.80 | \$2,128,221,978 | | |

California Judicial Branch

The California court system, with more than 2,000 judicial officers, 19,000 court employees, and nearly 8 million cases in over 451 court locations, and a 2002–2003 budget of \$2.64 billion, serves over 34 million people—12.2 percent of the total U.S. population.

THE COURTS

California Supreme Court

- Hears oral arguments in San Francisco, Los Angeles, and Sacramento;
- Discretionary authority to review decisions of the Courts of Appeal; direct responsibility for automatic appeals after death penalty judgment (www.courtinfo.ca.gov /courts/supreme/about.htm).

Courts of Appeal

- Six districts, 19 divisions, 9 court locations:
- Reviews the majority of appealable orders or judgments from superior court (www .courtinfo.ca.gov/courts /courtsofappeal/about.htm).

Superior Courts

- 58 courts, one in each county, with from 1 to 55 branches;
- State and local laws define crimes and specify punishments, and define civil duties and liabilities (www.courtinfo.ca.gov/courts/trial/about.htm).

BRANCH AND ADMINISTRATION POLICY

Judicial Council of California Administrative Office of the Courts

The Judicial Council is the constitutionally created 27-member policymaking body of the California courts; its staff agency is the Administrative Office of the Courts (www.courtinfo.ca.gov/courtadmin/jc/).

BRANCH AGENCIES

Commission on Judicial Appointments

Confirms gubernatorial appointments to the Supreme Court and appellate courts (www.courtinfo.ca.gov/courtadmin/otheragencies.htm).

Commission on Judicial Performance

Responsible for the censure, removal, retirement, or private admonishment of judges and commissioners. Decisions subject to review by California Supreme Court (www.cjp.ca.gov/).

Habeas Corpus Resource Center

Handles state and federal habeas corpus proceedings; provides training, support for private attorneys who take these cases (www.courtinfo.ca.gov/jobs/jobshcrc.htm).

RELATED ORGANIZATION

State Bar of California

Serves the Supreme Court in administrative and disciplinary matters related to attorneys (www.calbar.ca.gov).

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